

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

ALLSTATE INSURANCE COMPANY;
ALLSTATE FIRE AND CASUALTY
INSURANCE COMPANY; ALLSTATE
PROPERTY AND CASUALTY
INSURANCE COMPANY; ESURANCE
INSURANCE COMPANY; and
ESURANCE PROPERTY AND
CASUALTY INSURANCE COMPANY,

C.A. No. 2:20-cv-12939-LVP-EAS

Plaintiffs,

v.

VELOCITY MRS – FUND V, LLC;
NATIONAL HEALTH FINANCE DM,
LLC; and GEOFFREY KEMOLI
SAGALA, D.C.,

Defendants.

NOTICE OF WITHDRAWAL WITHOUT PREJUDICE OF PLAINTIFFS'
MOTION TO DIRECT THE DETROIT POLICE DEPARTMENT TO
APPEAR AND SHOW CAUSE (ECF NO. 181)

NOW COME plaintiffs Allstate Insurance Company, Allstate Fire and Casualty Insurance Company, Allstate Property and Casualty Insurance Company, Esurance Insurance Company, and Esurance Property and Casualty Insurance Company (collectively, “Allstate”) and provide notice that they hereby withdraw without prejudice their motion for an order requiring the Detroit Police Department

(“DPD”) to appear and show cause why it should not be held in contempt for ignoring Allstate’s duly-served subpoena (the “motion”). *See* ECF No. 181.

While the DPD still has not responded to Allstate’s duly-served subpoena, Allstate has recently resolved its claims against nearly all of the defendants in this litigation and currently is attempting to resolve its claims against each of the remaining defendants. Accordingly, in an effort to conserve judicial resources, Allstate hereby withdraws the pending motion without prejudice. Allstate reserves the right to re-file its motion should it be unable reach a resolution with the remaining defendants and if the DPD continues to ignore duly-issued legal process.

Respectfully submitted,

KTM

/s/ Andrew H. DeNinno

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Dated: March 14, 2023

Attorneys for Allstate

CERTIFICATE OF SERVICE

I, Andrew H. DeNinno, hereby certify that on March 14, 2023, I electronically filed the foregoing papers with the Clerk of the Court using the ECF system, which will send notice of such filing to all counsel of record, and further certify that a copy of the foregoing was served on the Detroit Police Department by electronic mail at yuliana.amoui@detroitmi.gov.

Respectfully submitted,

KTM

/s/ Andrew H. DeNinno

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